

60,469-218
OT-5044**REMARKS**

Applicant thanks the Examiner for the remarks and analysis contained in the most recent office action. Applicant is especially grateful for the indication of allowed and allowable subject matter. Applicant respectfully requests reconsideration of this application.

Claims 2, 3 and 9 have been rewritten in independent form. The subject matter of claims 2 and 3 has been indicated as being allowable.

Applicant respectfully submits that claim 9 cannot be considered to be anticipated. The Examiner suggests that, "trusses and steps are inherently made from different materials." Even if that is true, claim 9 recites that the step chain links (e.g., not the steps) comprise a different material than the truss structure. Traditionally, escalator systems have included the same material for the truss structure and the step chain links. As described on page 2 of Applicant's specification, steel traditionally has been used for the truss structure and for the step chain links to avoid different thermal expansion properties between the chain and the truss. Nothing in the references relied upon the Examiner suggest anything different. Therefore, if the Examiner is going to maintain a rejection under 35 U.S.C. §102 of claim 9, the Examiner must come forward with some proof from the art teaching making a truss and step chain links from different materials.

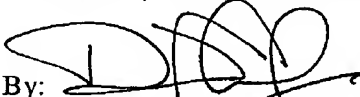
Applicant respectfully submits that this case is in condition for allowance. If the Examiner believes that a telephone conference will facilitate moving this case forward to being issued, Applicant's representative will be happy to discuss any issues regarding this application and can be contacted at the telephone number indicated below.

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Applicant believes that additional fees in the amount of \$400.00 are required for two additional independent claims. A Credit Card Payment Form is attached.

Respectfully submitted,

CARLSON, GASKEY & OLDS

By: 

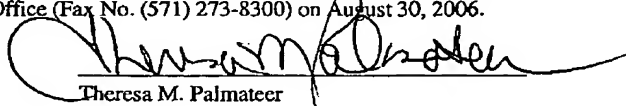
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Dated: August 30, 2006

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CERTIFICATE OF FACSIMILE

I hereby certify that this Preliminary Amendment relating to Application Serial No. 10/537,206, is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on August 30, 2006.


Theresa M. Palmateer